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Disproportionality of students of color identified with special needs has been a issue in the United States for over 40 years. Since 2004 the Individuals with Disabilities Education Act (IDEA) has mandated that states report their percentages of students from racial minorities to their respective state departments, which then reports their data to the Office of Special Education Program (OSEP) in the federal Department of Education.

While the federal legislation requires states to report on this data and has sanctions for districts that have significant disproportionality, the law does not mandate the procedure(s) that states and districts should engage in to eliminate this pervasive problem.

This policy paper will investigate each state’s department of education public data to determine if a policy has been put in place to intervene when there are a disproportional number of students of color in special education in their state. To determine this, an extensive literature review will be conducted along with a search of each state’s department of education website. Recommendations will be made as to the direction that should be taken to further improve the interventions that are in place to reduce disproportionality.

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